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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH FLEMING and JOHN DOE,)
)
Plaintiffs,)
)
vs.) No. C04-2338RSM
)
THE CORPORATION OF THE)
PRESIDENT OF THE CHURCH OF)
JESUS CHRIST OF LATTER-DAY)
SAINTS, a Utah corporation)
sole, a/k/a the "MORMON)
CHURCH," LDS SOCIAL SERVICES,)
a/k/a LDS FAMILY SERVICES,)
a Utah corporation,)
)
Defendants.)

VIDEOTAPED DEPOSITION OF JACK A. ONEFREY

January 27, 2006

Seattle, Washington

Byers & Anderson, Inc.

Court Reporters/Video/Videoconferencing

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1 MR. WOLFE: Mr. -- yeah.

2 Q (By Mr. Kosnoff) Were you released as assistant
3 scoutmaster because of allegations that you had
4 sexually molested a boy?

5 MR. WOLFE: We're going to object on
6 privilege.

7 Q (By Mr. Kosnoff) After you were released as assistant
8 scoutmaster, you continued to work in the ward's scout
9 program though?

10 A No.

11 Q No? You didn't? Did you come back into the scouting
12 program at some later date?

13 A Not sure when I came back.

14 Q The records that have been provided by the church
15 indicate that you were released as assistant
16 scoutmaster of the Kent 2nd Ward in February of 1972.

17 A Could be.

18 Q So approximately one year after you had been appointed
19 assistant scoutmaster you were released?

20 A Yeah, I wasn't -- I don't know what the dates are.

21 Q And at some later point you recall coming back in and
22 working with the scouts, though, don't you?

23 A I probably supplied some transportation and things.

24 Q Supplied transportation, went on 50 mile hikes, went on
25 campouts, that kind of thing?

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1 Q Did you ever tell Chelsey Wieder that you had had sex
2 with more than 250 children in your life?

3 A No.

4 Q Never made that statement?

5 A No.

6 Q Never said anything like that to her?

7 A No.

8 Q Did you ever go to LDS Social Services for sexual
9 deviancy counseling or treatment?

10 A Yes.

11 Q Okay. About what time period?

12 A Probably -- I'm really not sure on that.

13 Q But it was while you were in the Kent 2nd Ward in the
14 1970s?

15 A Yes.

16 Q Okay. And you were referred there by a bishop?

17 MR. WOLFE: We're going to object,
18 assert privilege.

19 Q (By Mr. Kosnoff) You were referred to or sent to LDS
20 Social Services by Bishop Borland, isn't that correct?

21 MR. WOLFE: Assert privilege.

22 Q (By Mr. Kosnoff) When you went to LDS Social Services,
23 you told them about your -- you were truthful about
24 your sexual contact with children, weren't you?

25 A Yes.

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1 MR. WOLFE: Assert privilege.

2 THE WITNESS: Oh, sorry.

3 Q (By Mr. Kosnoff) And that was the reason you were
4 there, was to discuss your sexual deviant attractions
5 to children; isn't that correct?

6 MR. WOLFE: Assertion of privilege.

7 MR. KOSNOFF: What's the basis of
8 the privilege?

9 MR. WOLFE: It's the privilege we've
10 discussed earlier, Mr. Kosnoff, the priest-penitent
11 privilege. Based upon my understanding of the church
12 law, there is a legitimate basis to assert privilege
13 here.

14 MR. KOSNOFF: So what you're saying
15 is him going to LDS -- the social service wing of the
16 church, that you're asserting the clergy-penitent
17 privilege with respect to his communications with
18 social service workers? Is that --

19 MR. WOLFE: Based upon my
20 understanding of the law of the Mormon Church, yes.

21 MR. FREY: With social services he
22 has a privilege, Counsel, besides that
23 physician-patient, which covers psychologists,
24 psychiatrists and everyone else.

25 Q (By Mr. Kosnoff) How many -- how long a period of time

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